

Nov-03-05 16:09 From:HOGAN & HARTSON

T-614 P.001/007 F-032

HOGAN & HARTSON LLP.

500 SOUTH GRAND AVENUE  
SUITE 1900  
LOS ANGELES, CA 90071

Tel: (213) 337-6700  
Fax: (213) 337-6701

RECEIVED  
CENTRAL FAX CENTER

NOV 03 2005

BALTIMORE  
BEIJING  
BERLIN  
BOULDER  
BRUSSELS  
BUDAPEST  
CARACAS  
COLORADO SPRINGS  
DENVER  
GENEVA  
HONG KONG  
LONDON  
LOS ANGELES  
MIAMI  
MOSCOW  
MUNICH  
NEW YORK  
NORTHERN VIRGINIA  
PARIS  
SHANGHAI  
TOKYO  
VARSAW  
WASHINGTON, D.C.

**IMPORTANT NOTICE**

**TELECOPY/FACSIMILE COVER LETTER**

TO: Office of Initial Patent Examination's

DATE: 11/3/2005

Filing Receipt Corrections

FROM: Reynaldo F. Gallardo

TIME: 3:42 PM

TOTAL NO. OF PAGES, INCLUDING COVER: 7

The attached information is CONFIDENTIAL and is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient(s) or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via the U.S. Mail.

**MESSAGE:**

Please note the error on the attached Filing Receipt on the Applicant(s) Section. The name of the applicant was misspelled as "HOOR" and the correct spelling is "HOON." Attached for your reference the documents that we filed to your office on March 25, 2004. Please provide us with Corrected Filing Receipt as soon as possible.

Thank you.

**FOR INTERNAL PURPOSES ONLY**

TELECOPY/FAX NUMBER: 703-746-9195  
CLIENT NUMBER: 89212.0016  
ATTORNEY BILLING NUMBER: Reynaldo F. Gallardo  
CONFIRMATION NUMBER: 213-337-6701

Nov-03-05 16:09 From:HOGAN & HARTSON

RECEIVED  
CENTRAL FAX CENTER

T-614 P.002/007 F-032

NOV 03 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

John Wayne / LNE

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/809,965	03/25/2004	1634	1175	89212.0016	3	31	14

CONFIRMATION NO. 7891

Hogan & Hartson  
2049 Century Park East  
Suite 700  
Los Angeles, CA 90067

FILING RECEIPT



\*OC000000017326151\*

Date Mailed: 10/26/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Dave S.B. Hoor Los Angeles, CA; - HODN =  
Bret Taback, Santa Monica, CA;

Assignment For Published Patent Application

John Wayne Cancer Institute

Power of Attorney: The patent practitioners associated with Customer Number 000026021.

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/457,395 03/25/2003

Foreign Applications

If Required, Foreign Filing License Granted: 06/07/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/809,965

Projected Publication Date: 02/02/2006

Non-Publication Request: No

Early Publication Request: No

RECEIVED

NOV 03 2005

DOCKETING

**\*\* SMALL ENTITY \*\*****Title**

DNA markers for management of cancer

**Preliminary Class**

435

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

---

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**BEST AVAILABLE COPY**

Nov-03-05 16:10 From:HOGAN & HARTSON

RECEIVED  
CENTRAL FAX CENTER

T-614 P.005/007 F-032

NOV 03 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/809,965	03/25/2004	Dave S.B. Hoor	89212.0016

CONFIRMATION NO. 7891

WITHDRAWAL  
NOTICE

Hogan & Hartson  
2049 Century Park East  
Suite 700  
Los Angeles, CA 90067

Date Mailed: 10/25/2005

**WITHDRAWAL OF PREVIOUSLY SENT NOTICE**

It has come to the attention of the Office that the Notice mailed on 06/08/2004 was sent in error. The Notice is hereby withdrawn. The application is complete and will be processed for examination. The Official Filing Receipt is enclosed. The office regrets any inconvenience the error may have caused.

*J Stokes*  
A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382  
PART 1 - ATTORNEY/APPLICANT COPY

Please acknowledge receipt of the following by affixing hereon the Patent and Trademark  
Office date stamp and returning this card to our office.

ENTERED

APR 04 2004

INTO MDC

UTILITY PATENT APPLICATION

Applicants: David S.B. HOON and Bret TABACK  
Serial No.: Not Yet Assigned  
Title: DNA MARKERS FOR MANAGEMENT OF CANCER  
Filing Date: Herewith  
Attorney: William E. Thomson, Jr.  
Docket No.: 89212.0016  
Date of Deposit: March 25, 2004  
Express Mail No.: EL7 5821063US  
Enclosures: Certificate of Mailing Via U.S. Express Mail (2 copies), Utility Patent Application Transmittal (2 copies), Specification (having 83 pages of specification and 1 page of Abstract), Informal Drawings (3 sheets), and To-Be-Returned Postcard

17548 U.S. PRO  
10/809965

032504

BEST AVAILABLE COPY

PATENT  
Attorney Docket No: 89212.0016

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
**Dave S.B. HOON and Bret TABACK**  
Serial No: Not Yet Assigned  
Filed: Herewith  
For: **DNA MARKERS FOR MANAGEMENT OF CANCER**

Art Unit: Not Yet Assigned  
Examiner: Not Yet Assigned

**CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL**  
"Express Mail" Mailing Label No. EL715821063US  
Date of Deposit: March 25, 2004

RECEIVED  
CENTRAL FAX CENTER

NOV 03 2005

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that

- Two Copies of the Utility Patent Application Transmittal
- Utility Patent Application (having 83 page(s) of specification; 1 page(s) of abstract), claiming priority of U.S. Provisional Patent Application Serial No. 60/457,395, filed March 25, 2003
- 3 sheet(s) of informal drawings
- Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

Date: March 25, 2004

Hogan & Hartson, LLP  
500 South Grand Avenue, Suite 1900  
Los Angeles, California 90071  
Telephone: 213-337-6700  
Facsimile: 213-337-6701

Vivian M. Gutierrez

Name of person mailing papers

  
Signature

BEST AVAILABLE COPY